

REMARKS

Claims 1 through 12 are pending in this application and stand rejected.

Applicant discovered that in the response filed on October 5, 2006, Applicant had inadvertently failed to incorporate the amendments made in the response filed on February 21, 2006. The amendments made herein begin with the claims as they were presented in the response filed on October 5, 2006 and incorporate the amendments made in Applicant's response filed on February 21, 2006. In addition, Applicant has amended independent claim 10 in the same way that independent claim 1 was amended.

The amendments made in Applicant's February 21, 2006 response were directed to the rejections in the Final Office Action mailed October 20, 2005. It appeared from the Office Action mailed on July 5, 2006, that those amendments had satisfied the Examiner with respect to the rejections made in the Final Office Action mailed October 20, 2005.

The rejections in the most recent Office Action (the Final Office Action dated January 4, 2007) are along the same lines as the rejections made in the Final Office Action mailed October 20, 2005. Therefore, it is believed that incorporating the amendments made in Applicant's response filed on February 21, 2006 with the amendments made in Applicant's response filed on October 5, 2006, as Applicant has done here, has resolved all of the issues raised by the Examiner in paragraph 5 of the January 4, 2007 Office Action.

Paragraph 3 of the January 4, 2007 Office Action objects that in claim 1, line 4, "the frequency" should be "a frequency." Independent claims 1, 6, and 10 have been amended accordingly.

Paragraph 6 of the January 4, 2007 Office Action objects that there is insufficient antecedent basis for "the n-gram pair" and "the n-gram triple" limitations in claims 1 and 10. Claims 1 and 10 have been amended to provide the required antecedent basis.

Paragraph 8 of the January 4, 2007 Office Action rejects claims 1-12 under 35 USC 101. As an initial matter, Applicant notes that the Examiner has rejected claims under 35 USC 101 in two previous office actions. In the office action mailed March 28, 2005 at pp. 6-7, the Examiner

rejected claims 1-3 and 6-9. Applicant amended claims 1 and 6 to overcome those rejections in Applicant's July 28, 2005 response at pp. 10-11. The Examiner made a second, but different, rejection under 35 USC 101 in the office action mailed March 8, 2006 pp. 4-6, rejecting claims 1-5 and 10-12. Applicant responded to the second set of 35 USC 101 rejections in Applicant's June 8, 2006 response at pp. 8-10. It appeared that Applicant's arguments were convincing because the Examiner did not reassert the 35 USC 101 arguments in the office action mailed July 5, 2006 or answer the substance of Applicant's arguments.

The most recent January 4, 2007 Office Action appears to reassert the same arguments made under 35 USC 101 that were made in the office action mailed March 8, 2006. The only difference is that the rejections have been extended to claims 6-8. The rejections of claims 6-8 appear to be on parallel grounds to those of claims 1-3; otherwise the finality of the rejection of claims 6-8 in the office action mailed January 4, 2007 was improper and should have been withdrawn as Applicant requested by voice mail on April 4, 2007. Applicant's response to the rejection of claims 1-3 in Applicant's June 8, 2006 response at pp. 8-9 apply to the rejection of claims 6-8.

Applicant respectfully requests that the Examiner withdraw the rejections under 35 USC 101 in the most recent January 4, 2007 Office Action or answer the substance of Applicant's arguments made in Applicant's previous responses to rejections under 35 USC 101. See MPEP 707.07(f) ("Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it.").

Further, Applicant disagrees with the Examiner's rejection of claim 6 under 35 USC 101. The element at issue:

if the string has not been associated with a cluster with this value of T_S :

for every unique set of $Y+1$ n-grams T_{UY} in the string $T_{l...R}$, except S:

clustering the string with a cluster associated with the $Y+2$ n-gram group
 $T_S - T_{UY_2}$

comes into play if the string has not been associated with a cluster with this value of T_S , which would happen if the frequency of T_S in a set of n-gram statistics is greater than a first threshold.

See claim 6 above, lines 5-7. In that case, the string would be clustered with the clusters defined by the "for" clause in the above-quoted excerpt from claim 6. The result is concrete and tangible. The rejection of claims 6-8 under 35 USC 101 should be withdrawn on this basis alone.

SUMMARY

Applicants contend that the claims are in condition for allowance, which action is requested. Applicants do not believe any fees beyond the fee for filing the request for continuing examination are necessary with the submitting of this response. Should any additional fees be required, Applicants request that the fees be debited from deposit account number 14-0225.

Respectfully submitted,



Howard L. Speight
Reg. No. 37,733
Baker Botts L.L.P.
910 Louisiana
Houston, Texas 77002
Telephone: (713) 229-2057
Facsimile: (713) 229-2757
E.Mail: Howard.Speight@bakerbotts.com
ATTORNEY FOR APPLICANTS

Date: April 4, 2007